



## **Request for Proposal 05-45369**

Statewide Family Planning, Access, Care, and Treatment (PACT)  
Training and Technical Assistance Project

California Department of Health Services  
Maternal, Child and Adolescent Health Branch/Office of Family Planning  
MS 8300  
1615 Capitol Avenue  
P.O. Box 997420  
Sacramento, CA 95899-7420

**[DO NOT SUBMIT PROPOSALS TO THE ABOVE ADDRESS.]**

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<b>Attachment #</b>	<b>Attachment Name</b>
Attachment 1	Proposal Cover Page
Attachment 2	Required Attachment / Certification Checklist
Attachment 3	Business Information Sheet
Attachment 4	Client References
Attachment 5	RFP Clause Certification
Attachment 6	CCC 304 - Certification
Attachment 7	Payee Data Record
Attachment 8	Follow-on Consultant Contract Disclosure
Attachment 9	DVBE Instructions / Forms with Attachment 9a, Actual DVBE Participation and Attachment 9b, Good Faith Effort
Attachment 10	Target Area Contract Preference Act (TACPA) Request
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Attachment 12	Work Plan
Attachment 13	Cost Proposal form
Attachment 14a	Budget Detail Work Sheet (Partial Year 1)
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Attachment 14e	Budget Detail Work Sheet (Year 3)
Attachment 14f	Subcontractor Budgets (Year 3)
Attachment 14g	Budget Detail Work Sheet (Partial Year 4)
Attachment 14h	Subcontractor Budgets (Partial Year 4)
Attachment 15	Voluntary Letter of Intent

S. Sample Contract Forms / Exhibits

<b>Exhibit #</b>	<b>Exhibit Name</b>
Exhibit A	Standard Agreement
Exhibit A1	Scope of Work
Exhibit B	Budget Detail and Payment Provisions
Exhibit C – View on-line.	General Terms and Conditions (GTC 304). View or download at this Internet site <a href="http://www.ols.dgs.ca.gov/Standard+Language/default.htm">http://www.ols.dgs.ca.gov/Standard+Language/default.htm</a> .
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release
Exhibit G	Travel Reimbursement Information
Exhibit H	Resumes
Exhibit I	Contractor Equipment Purchased with DHS Funds
Exhibit J	Inventory/Disposition of DHS-Funded Equipment
Exhibit K	HIPAA Business Associate Addendum

T. Program Appendices

<b>Appendix #</b>	<b>Appendix Name</b>
Appendix 1	Minimum Requirements for Computer Hardware and Systems Capabilities

## **A. Purpose, Background and Description of Services**

### **1. Purpose**

The California Department of Health Services (DHS), Maternal, Child, and Adolescent Health/Office of Family Planning Branch (MCAH/OFP) is soliciting proposals from firms that are able to successfully provide (1) health care provider outreach, recruitment, and enrollment; (2) health care provider professional education, technical assistance, and training; (3) training and technical assistance on client education and counseling; and (4) assistance, education, and consultation in clinical services and program quality improvement for the Family Planning Access, Care, and Treatment (PACT) Program. Proposals must address all of the services described in [*Exhibit A1*] entitled, "Scope of Work".

The Statewide Family Planning Access, Care, and Treatment (PACT) Technical Assistance and Training Project intends to make a single contract award to the most responsive and responsible firm offering the lowest bid. This procurement is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or other public or private universities (including auxiliary organizations), and other entities.

### **2. Background**

#### The Family PACT Program

##### **Program History**

The State of California has a long history of providing comprehensive family planning services to low-income uninsured women and men of reproductive age who are in need of care. The genesis of the Family PACT program lies in the original Clinical Services Contract Program (CSCP). From 1974 to 1997, the Office of Family Planning in DHS contracted annually with public and private, nonprofit agencies statewide through CSCP, which was funded by a limited budget from California's State General Fund. By fiscal year 1995/1996, 112 primary contracts with 142 agencies participated in CSCP, with about 450 sites. But these sites still served only a fraction of the women and men in need.

In January 1997, the California Legislature established the Family PACT program in accordance with the FY 1996/1997 Budget Trailer Bill (Assembly Bill (AB) 3483) to increase the statewide availability of comprehensive family planning services. AB 3483 provided additional state funding for an expanded comprehensive family planning services program for a limited time to allow an assessment of program design and outcomes (W&I Code Sections 24000-24027). In December 1999, the current Family PACT Medicaid 1115(b) Waiver Demonstration Project (Waiver Demonstration Project) was submitted in accordance with the FY 1999/2000 Budget Trailer Bill (AB 1107). This legislation added provisions to W&I Code Sections 24000-24027 enabling DHS to convert Family PACT from a state-only funded program to a primarily federally-funded waiver program.

##### **Program Goals and Eligibility**

The overall goal of Family PACT is to ensure that low-income women and men have access to health education, counseling, and family planning services to reduce the likelihood of unintended pregnancy and improve reproductive health. Family PACT services are

provided at no cost to low-income California residents. Women and men are eligible for the program if they reside in California, are at risk for pregnancy or causing pregnancy, have a gross income at or below 200 percent of the federal poverty level, and have no other source of health care coverage for family planning services. The age range for clients ranges from 10-55 years old for females, and 10-60 years old for males.

### **The Need for Family PACT**

Increasing access to family planning services is vital to the health and future of California. California's birth rates are among the highest in the industrialized world. By the year 2025, California's population is expected to grow by 35 percent (from 34 million in 2000 to 46 million in 2025), a growth rate much higher than for the nation as a whole. Many of the births projected for the year 2025 will result from unintended pregnancies (42 percent of births were unintended in 2004) and many will be to the state's poorest women. For example, of California women giving birth in 2004, 60 percent had family incomes at or below 200 percent of the federal poverty level. Although families bear the responsibility of caring for unplanned children, publicly-funded health and social service programs bear the cost for nearly half (47 percent in 2004) of all the state's births, as well as subsequent healthcare for those children. While some low-income women receive family planning and reproductive health care services through the Medi-Cal program, many of them do not qualify for this coverage and thus face significant financial barriers to these services. Family PACT is designed to narrow the gap between insured and uninsured women and men in California.

Family PACT also recognizes the importance of treating sexually transmitted infections (STIs) to maintain reproductive health. STIs are frequently associated with adverse and expensive reproductive health outcomes such as ectopic pregnancy, human immunodeficiency virus (HIV) transmission, and infertility. In California, STIs currently constitute a large portion of reportable communicable disease cases. One strategy for confronting the spread of STIs is through integration of STI diagnosis and treatment into family planning programs.

### **Family PACT Program Administration and Goals**

The Maternal, Child, and Adolescent Health/Office of Family Planning Branch in the Primary Care and Family and Family Health Division of DHS currently administers the Family PACT program in collaboration with California's Medi-Cal Program (Title XIX Medicaid). The Waiver Demonstration Project has the following goals for the identified target populations:

- Reduce the number of pregnancies to low income adolescent females (15-19 years old) in California;
- Reduce the number of unintended pregnancies among low income women in geographic areas of high unmet need for family planning services;
- Increase the number of low income males receiving family planning services.

In addition, a legislatively mandated linkage between Family PACT and the community-based Teen Pregnancy Prevention (TPP) funded local programs was included in FY 2003/2004 Budget Trailer Bill (AB 1762). DHS is mandated to implement and evaluate education and outreach strategies that will create linkages to appropriate clinical services through the Family PACT program for young people most at risk for becoming pregnant or



causing pregnancy. Furthermore, the Waiver Demonstration Project renewal in the summer of 2005 will likely include an additional mandate for Family PACT providers to increase referrals to needed primary care services for all Family PACT clients.

The features that make Family PACT an immediately accessible and quality reproductive health services program for eligible California residents include:

1. Comprehensive coverage of family planning services including, contraception, emergency contraception, sterilization, basic reproductive health screening for STIs/HIV and cervical cancer, treatment for STIs and cervical dysplasia, reproductive health education and counseling, fertility evaluation, and preconception counseling.
2. Program enrollment eligibility for any public or private Medi-Cal provider in good standing, and after attending a legislatively mandated orientation session and completion of the application and enrollment agreements.
3. Coverage of pharmaceutical and supply services both on site through clinician providers or at pharmacies. Laboratory services are covered both on site through clinician providers or at licensed clinical laboratories.
4. On site client enrollment at the point of clinic service.
5. Provider reimbursement levels consistent with those in the Medi-Cal Program.
6. An expectation of provider adherence to Family PACT standards in the following areas: informed consent, confidentiality, availability of options, linguistic and cultural competence, access to care, clinical and preventive services, education and counseling.
7. Continuous monitoring and evaluation of Family PACT services using analyses of enrollment and claims data and other evaluation methods.

#### The Statewide Family PACT Technical Assistance and Training Project

Family PACT has always offered a variety of provider support services to assist care providers in adhering to program clinical services expectations, standards, and policies. The Office of Family Planning directs a group of contractors to promote quality improvements in Family PACT practices. These activities comprise the Family PACT Provider Support Network and include:

1. Provider recruitment, orientation, and enrollment.
2. Education and technical assistance about the Family PACT program systems such as onsite enrollment, claim codes, and billing procedures.
3. Incorporation of Family PACT into traditional practice systems.
4. Improved client access in the Waiver Demonstration Project targeted counties.
5. Client-centered education and counseling about family planning and reproductive health.
6. Professional education for licensed health care staff with emphasis on contraceptive technology, current reproductive health standards of practice, and advances in the field of family planning and related reproductive health, including STIs.
7. Development of reproductive health education materials and program information resources for clients, clinicians, and staff.
8. Coordination with DHS Sexually Transmitted Disease Control Branch to facilitate the incorporation of STI services into Family PACT reproductive health services.
9. Updates of Family PACT program policies, requirements, and services.
10. Access to a provider-oriented website with forms, program documentation, and referral resources.

The Waiver Demonstration Project has identified 14 to 16 counties that may need additional assistance in meeting the Family PACT services needs of their populations. These counties meet two criteria: (1) they have an estimated 3,600 or more women in need of publicly-funded family planning services, and (2) the Family PACT program is meeting less than 40% of this need in the area. The counties that will be targeted for the time period of this contract are still being determined at this time.

Despite the increase in the number of providers enrolled in Family PACT over the past five years, a large population of individuals with unmet needs still exists. Consequently, the program must continue expanding access to more of the target populations, including those more difficult to reach, and increase the utilization of services by the populations that are now accessing services. To this end, ongoing provider recruitment, enrollment and support is essential.

#### Technical Assistance and Training Audience

For the purposes of this procurement, the target audience for technical assistance, training, consultation, and program quality improvement services consists of health care providers and clients (through development of educational materials) of the Family PACT program. Other audiences may include:

- MCAH/OFP staff; and
- Persons affiliated with or working in collaboration with the Family PACT program, such as:
  - Teen Pregnancy Prevention (TPP) Program Providers,
  - Other Family PACT Program contractors,
  - Other nonprofit organizations and community professionals as identified by MCAH/OFP,
  - Government agency staff or volunteers

#### Scope of Funding/Term

A maximum of \$3,588,000 million over a three-year period is anticipated to be made available to support the activities and services as described in this RFP. This contract is funded by the State General Fund and Federal Title XIX. The duration of the contract issued as a result of this RFP will be for three years with an anticipated term of March 1, 2006 through February 28, 2009, subject to an annual appropriation in the Budget Act and Federal Title XIX for each fiscal year. Funding levels per fiscal year are dependent upon program priorities.

Funding for the activities and services described in the RFP support the entire Scope of Work for the Statewide Family PACT Technical Assistance and Training Project: one hundred percent (100%) of the funds will be directed to all goals delineated in the Scope of Work.

## **B. Time Schedule**

Below is the tentative time schedule for this procurement.

<b>Event</b>	<b>Date</b>	<b>Time (If applicable)</b>
RFP Released	9/6/05	
Written Questions Due	9/26/05	4:00 p.m.
Voluntary Pre-Proposal TeleConference	10/4/05	10:00 a.m.
Voluntary Letter of Intent	10/5/05	4:00 p.m.
Proposal Due Date	11/4/05	4:00 p.m.
Evaluation Period	11/7/05-11/29/05	
Cost Proposal Opening	11/30/05	3:00 p.m.
Notice of Intent to Award Posted	12/6/05	
Protest Deadline	12/13/05	5:00 p.m.
Contract Award Date	1/18/06	
Proposed Start Date of Agreement	3/1/06	

## **C. Contract Term**

The term of the resulting agreement is expected to be 36 months and is anticipated to be effective from March 1, 2006 through February 28, 2009. The agreement term may change if DHS makes an award earlier than expected or if DHS cannot execute the agreement in a timely manner due to unforeseen delays.

The resulting contract will be of no force or effect until it is signed by both parties and approved by the Department of General Services, if required. The Contractor is hereby advised not to

commence performance until all approvals have been obtained. Should performance commence before all approvals are obtained, said services may be considered to have been volunteered if all approvals have not been obtained.

#### **D. Proposer Questions**

Immediately notify DHS if you need clarification about the services sought or have questions about the RFP instructions or requirements. Put your inquiry in writing and transmit it to DHS as instructed below. At its discretion, DHS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP or fail to seek clarification and/or correction of the RFP shall submit a proposal at their own risk.

If an inquiry appears to be unique to a single firm or is marked "Confidential", DHS will mail or fax a response only to the inquirer if DHS concurs with the Proposer's claim that the inquiry is sensitive or proprietary in nature. If DHS does not concur, the inquiry will be answered in the manner described herein and the Proposer will be so notified. Inquiries and/or responses that DHS agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted.

##### **1. What to Include in an Inquiry**

- a. Your name, name of your firm, mailing address, area code and telephone number, and fax number.
- b. A description of the subject or issue in question or discrepancy found.
- c. RFP section, page number or other information useful in identifying the specific problem or issue in question.
- d. Remedy sought, if any.

A proposer that desires clarification about specific RFP requirements and/or whose inquiry relates to sensitive issues or proprietary aspects of a proposal may submit individual inquiries that are marked "Confidential". The Proposer must include with its inquiry an explanation as to why it believes questions marked "Confidential" are sensitive or surround a proprietary issue.

##### **2. Question Deadline**

Proposers are encouraged to submit written inquiries about this RFP to DHS no later than three (3) working days before the Pre-Proposal teleconference date so answers can be prepared in advance. DHS will accept written or faxed inquiries received by 4:00 p.m. on September 26, 2005. At its discretion, DHS may contact an inquirer to seek clarification of any inquiry received.

DHS will accept questions or inquiries about the following issues if such inquiries are received prior to the proposal submission deadline.

- a. DVBE participation requirements and how to complete the DVBE attachments.
- b. The reporting of RFP errors or irregularities.

### 3. How to Submit Questions

Submit inquiries using one of the following methods.

<b>U.S. Mail, Hand Delivery or Overnight Express:</b>	<b>Fax:</b>
<b>Questions RFP 05-45368</b> Department of Health Services Statewide Family Planning, Access, Care, and Treatment (PACT) Training and Technical Assistance Project Laurie Weaver MS 8400 1615 Capitol Avenue, Suite 73.430 P.O. Box 997413 Sacramento, CA. 95899-7413	<b>Questions RFP 05-45369</b> Department of Health Services Statewide Family Planning, Access, Care, and Treatment (PACT) Training and Technical Assistance Project Laurie Weaver  <b>Fax:</b> (916) 650-0454

Proposers submitting inquiries by fax are responsible for confirming the receipt of all faxed materials by the question deadline.

Call OFP at (916) 650-0414 to confirm faxed transmissions.

### 4. Proposer Warning

DHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If you mail your questions, consider using certified or registered mail and request a receipt upon delivery. If you choose hand delivery, allow sufficient time to locate street metered parking and to sign-in at the security desk

### 5. Verbal Questions

Verbal inquiries are discouraged. DHS reserves the right not to accept or respond to verbal inquiries. **Spontaneous verbal remarks provided in response to verbal inquiries are unofficial and are not binding on DHS unless later confirmed in writing.**

Direct all verbal requests for DVBE assistance to DHS' DVBE Coordinator at (916) 650-0205 up to the proposal deadline.

### 6. Written Response to Questions

Written response will be posted October 4, 2005 on the OFP website at <http://www.ofp.dhs.ca.gov/OFP%20main/rfp.htm>.

### E. Pre-Proposal Teleconference

DHS will conduct a voluntary Listen Only Pre-Proposal Teleconference on October 4, 2005 beginning at 10:00 a.m. To participate in the teleconference, use a touch-tone telephone to dial 877-855-4797, then enter the following access code 4606136V.

Prospective proposers that intend to submit a proposal are encouraged to participate in the voluntary Pre-Proposal Teleconference. It shall be each prospective proposer's responsibility to

join the teleconference promptly at 10:00 a.m. DHS reserves the right not to repeat information for participants that join the teleconference after it has begun.

The voluntary Pre-Proposal Teleconference is a public event or meeting and anyone can join.

#### **F. Reasonable Accommodations**

For individuals with disabilities, the Department will provide assistance services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of Bidders Conference handouts, Request for Proposal, questions/answers, RFP Addenda, or other Administrative Notices into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call the number below no later than September 12, 2005 to arrange for reasonable accommodations.

Office of Family Planning  
Program Telephone Number (916) 650-0414  
(TTY) California Relay telephone number 711-1-800-735-2929

NOTE: The range of assistance services available may be limited if requests are received less than ten State working days prior to the conference date or requestors cannot allow ten or more State working days prior to date the alternate format material is needed.

#### **G. Voluntary Letter of Intent**

##### **1. General Information**

Prospective proposers are asked to voluntarily indicate either their intention to submit a proposal or to indicate the reason(s) for not submitting a proposal. Failure to submit a Letter of Intent will not affect the acceptance of any proposal. The Letter of Intent is not binding and prospective proposers are not required to submit a proposal merely because a Letter of Intent is submitted. **Use the Voluntary Letter of Intent (Attachment 15) for this purpose.**

##### **2. Submitting a Letter of Intent**

Regardless of delivery method, the voluntary Letter of Intent must be received by **4:00 p.m. on October 5, 2005.**

Submit the Letter of Intent using one of the following methods.

<b>U.S. Mail, Hand Delivery or Overnight Express:</b>	<b>Fax:</b>
<b>Letter of Intent RFP 05-45369</b> Department of Health Services Statewide Family Planning, Access, Care, and Treatment (PACT) Training and Technical Assistance Project Laurie Weaver MS 8400 1615 Capitol Avenue, Suite 73.430 P.O. Box 997413 Sacramento, CA. 95899-7413	<b>Letter of Intent RFP 05-45369</b> Department of Health Services Statewide Family Planning, Access, Care, and Treatment (PACT) Training and Technical Assistance Project Laurie Weaver  <b>(916) 650-0414</b>

Proposers transmitting a Letter of Intent by fax are responsible for confirming the receipt of the faxed Letter of Intent by the stated deadline.

Call OFP at (916) 650-0414 to confirm faxed transmissions.

### **3. Proposer Warning**

DHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If you mail the Letter of Intent, consider using certified or registered mail and request a receipt upon delivery. If you choose hand delivery, allow sufficient time to locate street metered parking and to sign-in at the security desk.

## **H. Scope of Work**

See Exhibit A1 entitled, "Scope of Work" that is included in the Sample Contract Forms and Exhibits section of this RFP. Exhibit A1 contains a detailed description of the services and work to be performed as a result of this procurement. Whenever there is a range identified in the Scope of Work, budget for the average.

## **I. Qualification Requirements**

Failure to meet the following requirements by the proposal submission deadline will be grounds for DHS to deem a proposer nonresponsive. Evaluators may choose not to thoroughly review or score proposals that fail to meet these requirements. In submitting a proposal, each proposer must certify and prove that it possesses the following qualifications.

1. At least three consecutive years of experience of the type(s) listed below. All experience must have occurred within the past five years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
  - a. Developing and implementing successful outreach and recruitment strategies for private and public medical care providers.
  - b. Developing and conducting training sessions and workshops for medical care providers and clinic staff.
  - c. Developing and conducting customized technical assistance and consultation for medical care providers.
  - d. Assessing the quality of education sessions for medical care providers and clinic staff, and using existing data sources and participant feedback to determine ongoing provider education needs.
  - e. Communicating effectively with medical care providers and clinic staff, particularly those in the private sector.
  - f. Creating effective health education materials for the spectrum of audiences from medical care providers to program clients and the general public.
  - g. Implementing program awareness campaigns using appropriate program literature, conference exhibits, and small and large group presentations.

- h. Communicating with and tracking the needs of program participants using computer technology and the Internet, maintaining websites and providing and updating website content.
  - i. Developing and maintaining networks and linkages with professional and agency educational resources, county health departments, stakeholder groups, relevant community health programs, and primary care provider groups.
  - j. Working in ethnically diverse communities in California and with diverse groups of medical care providers and staff.
  - k. Working effectively and cooperatively with government representatives and diverse stakeholder groups.
  - l. Working successfully as a team with other private or government contractors in implementing a statewide, government program.
  - m. Incentivising medical care providers in incorporating new health care programs into their existing practices in efficient and client-friendly ways while also following program standards and administrative policies.
  - n. Working with ancillary and non-medical clinic staff to implement new health care programs into clinic settings in ways that are accessible and welcoming to clients.
  - o. Working with medical care providers and clinical staff on program quality improvement and services utilization management.
  - p. Maintaining an organizational infrastructure for collecting, managing, and reporting program data and contract deliverables.
  - q. Managing the fiscal aspects of government contracts including access to an administrative infrastructure for contract management activities and responsibilities.
2. Proposers must certify they have read and are willing to comply with all proposed terms and conditions addressed in the RFP section entitled, "Contract Terms and Conditions", including the terms appearing in the referenced contract exhibits.
  3. Corporations must certify they are in good standing and qualified to conduct business in California.
  4. Non-profit organizations must certify they are eligible to claim nonprofit status.
  5. Proposers must have a past record of sound business integrity and a history of being responsive to past contractual obligations.
  6. Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.



7. Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in **Attachment 8**.

PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for and/or being awarded an agreement for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract.

PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services agreement that totals no more than 10 percent of the total monetary value of the consulting services agreement. Consultants and employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.

PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

8. Proposers must either achieve actual Disabled Veteran Business Enterprise (DVBE) participation or make an adequate Good Faith Effort (GFE) to meet the DVBE participation requirements. Detailed requirements are outlined in **Attachment 9** (DVBE Instructions/Forms). This requirement applies if you offer a total cost or price that is \$10,000 or more.
9. Proposers must agree to contain their indirect costs at a percentage rate not to exceed 15% of total personnel costs, including benefits.

## **J. Proposal Format and Content Requirements**

### **1. General Instructions**

- a. Proposals are to be submitted in two separate parts: The Technical Proposal and a separate sealed Cost Proposal.
- b. Each firm or individual may submit only one Technical and Cost Proposal. For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one proposal, DHS will reject all proposals submitted by that firm or individual.

A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another proposer's proposal. Similarly, more than one proposer may use the same subcontractors and/or independent consultants.

- c. Develop Technical and Cost proposals by following all RFP instructions and/or clarifications issued by DHS in the form of question and answer notices, clarification notices, Administrative Bulletins or RFP addenda.

- d. Before submitting your Technical and/or Cost Proposal, seek timely written clarification of any requirements or instructions that you believe to be vague, unclear or that you do not fully understand.
- e. In preparing your Technical and/or Cost Proposal response, all narrative portions should be straightforward, detailed and precise. DHS will determine the responsiveness of a Technical and/or Cost Proposal by its quality, not its volume, packaging or colored displays.
- f. Arrange for the timely delivery of your Technical and Cost proposal package(s) to the address specified in this RFP. Do not wait until shortly before the deadline to submit your proposal envelopes/packages.

## **2. Format Requirements**

- a. Submit one (1) original Technical and Cost Proposal and five (5) copies or sets.
  - 1) Write “**Original**” on the original technical proposal and original cost proposal set.
  - 2) Each proposal set must be complete with a copy of all required attachments and documentation.
- b. Format the narrative portion of the Technical Proposal and Cost Proposal as follows:
  - 1) Use one-inch margins at the top, bottom, and both sides.
  - 2) Use a font size of not less than 11 points.
  - 3) Print pages single-sided on white bond paper.
  - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section of the Technical Proposal.
- c. Bind each Technical and/or Cost Proposal set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.
- d. All RFP attachments that require a signature must be signed in ink, preferably in a color other than black.
  - 1) Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.
  - 2) Place the originally signed attachments in the appropriate Technical and/or Cost Proposal set marked “Original”.
  - 3) The RFP attachments and other documentation placed in the extra Technical and/or Cost Proposal sets may reflect photocopied signatures.
- e. Do not include cost information in the Technical Proposal unless specifically instructed to do so.

- f. Place all Cost Proposal sets in a separate **sealed** envelope apart from the Technical Proposal. Refer to the RFP section entitled, "Proposal Submission" for detailed labeling and mailing instructions for both the Technical and Cost Proposal.
- g. Do not mark any portion of your Technical or Cost proposal, any RFP attachment or other item of required documentation as "Confidential" or "Proprietary". DHS will disregard any language purporting to render all or portions of a proposal confidential.

### **3. Technical Proposal Content**

This section specifies the order and content of each Technical Proposal. Assemble the materials in each Technical Proposal set in the following order:

- a. Proposal Cover Page

A person authorized to bind the Proposer must sign the Proposal Cover Page (Attachment 1). If the proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

- b. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

- c. Executive Summary Section

This section must not exceed three (3) pages in length. Evaluators may not review or evaluate excess pages.

In preparing your Executive Summary, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in your own words, the following information.

- 1) Your understanding of DHS' needs and the importance of this project.
- 2) The tangible results that you expect to achieve.
- 3) Your firm's sincere commitment to perform the scope of work in an efficient and timely manner.
- 4) How you will effectively integrate this project into your firm's current obligations and existing workload.
- 5) Why your firm should be chosen to undertake this work at this time.

- d. Agency Capability Section

- 1) Include a brief history of your firm, including:
  - a. Date of establishment. If applicable, explain any changes in your business history (i.e., name change, ownership, partnership arrangements, etc.) or organizational structure that will assist DHS in determining your qualifications.

- b. A description of your firm's goals that are relevant, closely related, or will complement this project.
- 2) Describe the experience that qualifies your firm to undertake this project. At a minimum, demonstrate your firm's possession of three consecutive years of experience of the types listed in this section. All experience must have occurred within the past five years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience:
- a. Developing and implementing successful outreach and recruitment strategies for private and public medical care providers.
  - b. Developing and conducting training sessions and workshops for medical care providers and clinic staff.
  - c. Developing and conducting customized technical assistance and consultation for medical care providers.
  - d. Assessing the quality of education sessions for medical care providers and clinic staff, and using existing data sources and participant feedback to determine ongoing provider education needs.
  - e. Communicating effectively with medical care providers and clinic staff, particularly those in the private sector.
  - f. Creating effective health education materials for the spectrum of audiences from medical care providers to program clients and the general public.
  - g. Implementing program awareness campaigns using appropriate program literature, conference exhibits, and small and large group presentations.
  - h. Communicating with and tracking the needs of program participants using computer technology and the Internet, maintaining websites and providing and updating website content.
  - i. Developing and maintaining networks and linkages with professional and agency educational resources, county health departments, stakeholder groups, relevant community health programs, and primary care provider groups.
  - j. Working in ethnically diverse communities in California and with diverse groups of medical care providers and staff.
  - k. Working effectively and cooperatively with government representatives and diverse stakeholder groups.
  - l. Working successfully as a team with other private or government contractors in implementing a large, statewide, government program.
  - m. Incentivising medical care providers in incorporating new health care programs into their existing practices in efficient and client-friendly ways while also following program standards and administrative policies.

- n. Working with ancillary and non-medical clinic staff to implement new health care programs into clinic settings in ways that are accessible and welcoming to clients.
  - o. Working with medical care providers and clinical staff on program quality improvement and services utilization management.
  - p. Maintaining an organizational infrastructure for collecting, managing, and reporting program data and contract deliverables.
  - q. Managing the fiscal aspects of government contracts including access to an administrative infrastructure for contract management activities and responsibilities.
- 3) Briefly, describe the accounts or work projects begun and/or completed in the past three years that involved services similar in nature or closely related to the Scope of Work in this RFP. For each account or project listed, include the following information:
- a) Name of agency or firm for whom services were performed,
  - b) Duration or length of the project,
  - c) Total cost or value of the project,
  - d) Indicate if the account or project is “active/open” or “closed/settled”.
  - e) Identify the type or nature of the services you performed.
- 4) Briefly describe any experience that demonstrates your firm’s ability to establish and maintain effective working relationships with government entities, local community based organizations, and private nonprofit organizations.
- 5) Identify three client references that your firm has serviced in the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. Use the Client References form (Attachment 4) for this purpose. **Place the completed Client References form in the Forms section of your proposal.**

e. Work Plan Section

1) Overview

- a) DHS is interested in proposals that provide well-organized, comprehensive and technically sound business solutions. Vague explanations will undermine your firm’s credibility and will result in reduced proposal scores.
- b) The Work Plan must include an in-depth discussion and description of the methods, approaches and step-by-step actions that will be carried out to fulfill all Scope of Work requirements.
- c) If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches or procedures that you will use to accomplish the task or function. Also, describe, in

this instance, how you will propose the ultimate strategies and detailed plans to DHS for full consideration and approval before you proceed to carry out the project.

2) Rejection of Tasks, Activities or Functions

- a) If full funding does not become available, is reduced, or DHS determines that it does not need all of the services described in this RFP; DHS reserves the right to offer an amended contract for reduced services.

3) Work Plan Content

Complete Work Plan (Attachment 12).

- a) Briefly, explain or describe the overall approach and/or methods that you will use to accomplish the scope of work.
- b) Explain why you chose the particular approaches and methods that are proposed (e.g., proven success or past effectiveness, etc.).
- c) If applicable, explain what is unique, creative, or innovative about your proposed approaches and/or methods.
- d) If you envision any major complications or delays at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if you do not anticipate any major complications or delays.
- e) If, for any reason, your Work Plan does not wholly address each Scope of Work (SOW) requirement, fully explain each omission. Likewise, indicate if your Work Plan contains no omissions.
- f) Indicate the assumptions you made in developing the Work Plan in response to DHS' Scope of Work. For each assumption listed, explain the reasoning or rationale that led you to that assumption. Likewise, indicate if no assumptions were made.
- g) If applicable, identify any additional Contractor and/or State responsibilities that you included in your Work Plan that you believe are necessary to ensure successful performance, but you believe were omitted from DHS' Scope of Work. Likewise, indicate if no additional Contractor and/or State responsibilities, outside of those identified in DHS' SOW were included in your Work Plan.
- h) Identify the specific tasks/activities and functions that you will perform in the order you believe they will occur. Include the following in-depth information for each task/activity or function in the work plan:
  - i. Indicate who will have primary responsibility for performing each major task/activity or function. If known, identify the name and position title of all key personnel, subcontractors and/or consultants that will perform the work.

If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined".

- ii. Include a performance time line for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one fiscal period or year, indicate the beginning and ending month and year.

If desirable, in addition to start and end dates, you may use other terms such as start-up, on-going, continuous, take-over, turn-over, etc. to describe the performance time line. In doing so, you must define the meaning of each unique term that you use.

- iii. Explain/describe how you intend to measure or prove successful completion of each major task, function or activity.

If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.

f. Management Plan Section

- 1) Describe how you will effectively coordinate, manage and monitor the efforts of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities and functions are completed effectively and in a timely manner.
- 2) Describe the fiscal accounting processes and budgetary controls you will use to ensure the responsible use and management of fiscal resources and accurate invoicing. Include at a minimum, a brief description of all of the following:
  - a) How the costs incurred under this project will be appropriately accounted for and only applicable project expenses will be billed to DHS (e.g., use of unique account/project codes, etc.).
  - b) Your fiscal reporting and monitoring capabilities (e.g., spread sheets, automated fiscal reports, quality controls, checks and balances, etc.) to ensure contract funds are managed responsibly.
  - c) Proposed billing or invoicing frequency (not more frequently than once per month). Electronic billing is not possible.
  - d) Identify the documentation that you will maintain on file or submit to DHS upon request to prove, support and/or substantiate the expenses that are invoiced to DHS.
- 3) Include an organization chart. Instructions are explained in the Appendix section. **Place the organization chart in the Appendix section of your proposal.**

g. Project Personnel Section

1) In this section, describe your proposed staffing plan. In the staffing plan, include at a minimum:

- a) Position titles for all proposed employees (persons on your payroll).
- b) Number of personnel in each position.
- c) By position, indicate the full time equivalent (FTE) or percentage of staff time devoted to this project (e.g., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, projected number of hours, if hourly, etc.).
- d) Monthly salary rate or wage range for each position title. It is the Proposer's responsibility to project annual merit increases and/or cost of living increases into each wage rate.

**Note:** Salary rates paid to contract staff should not exceed the rates paid to State personnel holding comparable classifications or performing duties with a comparable level of responsibility. In light of the State's fiscal uncertainties, DHS reserves the right to negotiate a lower cost of living percentage increase/amount or withhold approval of any projected cost of living increase in any contract budget year if the Proposer's projected increase exceeds the cost of living adjustment granted to civil service employees during the same fiscal period.

- e) Include a job description or duty statement for each position title or classification that will perform work under this project. The job descriptions must indicate the typical tasks and responsibilities that you will assign to the position and may include desired or required education and experience. **Place all job descriptions or duty statements at the end of the Project Personnel section.**
- f) Identify by name and/or position title, each key staff person that will have primary responsibility for managing, directing, overseeing and/or coordinating the work of assigned staff, subcontractors and/or independent consultants and who will maintain effective communications with DHS (i.e., Project or Program Manager, Project or Program Director, Contract Manager, etc.).
  - i. Briefly, describe each person's expertise, capabilities and credentials.
  - ii. Emphasize any relevant past experience in directing, overseeing, coordinating or managing other government projects.
- g) Include a resume for each key staff person (professional, managerial or supervisory) that will exercise a major administrative, policy, or consulting role in carrying out the project work. **Place staff resumes in the Appendix section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.



- 2) Briefly, describe the administrative policies or procedures you will use to ensure that you will recruit and select well-qualified, competent, and experienced in-house staff, subcontractors and/or independent consultants.
  - a) If employee recruitment/selection policies or procedures are present in an operations manual, you may cite excerpts from such manuals. Do not simply indicate that such policies exist and do not attach copies of any policies or manuals to your proposal. If deemed necessary, DHS may request copies of your existing manuals or policies.
- 3) Briefly, describe the processes or procedures that you will use to ensure that vacancies are filled expeditiously and that services are continued despite the presence of vacancies.
- 4) If subcontractors (including independent consultants) will be used to perform contract services, proposers must do the following at the time of proposal submission:
  - a) Indicate if you have pre-identified any firms/persons to perform the work or if you will recruit them later.
    - i. For each pre-identified subcontractor and independent consultant include:
      - A. Full legal name.
      - B. A job description or duty statement outlining the duties and functional responsibilities that you intend assign to the subcontracted firm or independent consultant.
      - C. A brief explanation as to why you chose the subcontracted firm or independent consultant. Stress things such as applicable skills, knowledge, capabilities, past experience or accomplishments, availability, reasonableness of rates, notoriety in a field or specialty, etc.
      - D. A resume for each pre-identified subcontractor and independent consultant. **Place all subcontractor and/or consultant resumes in the Appendix section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
      - E. A letter of agreement, signed by an official representative of each subcontracted firm or independent consultant. **Place all subcontractor and/or consultant letters of agreement in the Appendix section.**

Specific subcontractor and/or independent consultant relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect DHS' right to approve personnel or staffing selections or changes made after the contract award.

- ii. For subcontractors and/or independent consultants that cannot be identified when the proposal is submitted to DHS or are to be determined (TBD) after the contract is executed, include:
  - A. An identification of the functions, activities and responsibilities that you intend to assign to each subcontractor and/or independent consultant.
  - B. A description of the process that you will use to obtain DHS approval of each subcontractor and/or independent consultant selection along with approval of their budgeted costs and assigned responsibilities.

h. Facilities and Resources Section

Describe the following as it relates to your capacity to perform the scope of work:

- 1) Current office facilities at your disposal including number of offices owned or leased, square footage, number of staff housed and physical location or address.
- 2) Current support services and office equipment capabilities immediately available and/or accessible for use in carrying out the proposed scope of work. Include such things as, but not limited to:
  - a) A description of the range and/or type of support services available and number of staff.
  - b) Messenger, delivery, shipping, distribution, or transport capabilities.
  - c) Teleconferencing or telecommunications capabilities.
  - d) Printing/reproduction or photocopying capabilities.
  - e) Computer hardware and system capabilities (i.e., number, type, size, age, capacity and speed of personal computers or work stations and servers; Local Area Network capabilities, Wide Area Network capabilities; data transfer capabilities (disk or tape), data storage capacity, video/graphics capabilities, etc.). (Appendix 1).
  - f) Software applications in use (word processing applications, spread sheet applications, data base applications, graphics development applications, Web page design applications, unique or other specialized software applications, etc.).
  - g) Other support functions or capabilities that can be accessed and/or utilized.
- 3) Identify any facilities, support services or equipment that you must purchase, rent or lease on a long or short-term basis to perform the services described in this RFP.

One contract staff person, designated by the contractor and at a professional classification will work side-by-side with State personnel to assist in the coordination of project activities. DHS will provide State office facilities at the following location: 1615 Capitol Avenue, Suite 73.430, Sacramento, California 95814. DHS will provide the following support services to contract staff working in State office facilities: personal computer; office furniture; standard office supplies; telecommunications

equipment (telephones, fax); photocopying equipment; postage and mail handling services, including overnight mail services and reproduction services.

From time to time, facilities, support services, equipment or supplies over and above those provided by DHS may be required. List additional contractor office facilities, equipment and support services that will be available and accessible to perform the work, including, but not limited to:

- Clerical support services
- Shipping services
- Conference facilities
- Computer hardware & software
- Photocopying services
- Storage facilities
- Audio/visual equipment or services

i. Appendix Section

Place the following documentation in the Appendix section of your proposal in the order shown below.

1) **Proof of Corporate Status**

If the Proposer is a Corporation, submit a copy of your firm's most current Certificate of Status issued by State of California, Office of the Secretary of State or submit a downloaded copy of your firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State. Submit an explanation if you cannot submit this documentation. Unless otherwise specified, do not submit copies of your firm's Bylaws or Articles of Incorporation.

2) **Proof of Nonprofit Status**

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating nonprofit or 501 (3)(c) tax-exempt status. Submit an explanation if you cannot supply this documentation.

3) **An organization Chart**

The organization chart must show the distinct lines of authority between and among the divisions that will perform the project work and the primary reporting relationships within your organization. Show the relationships between management, key decision makers, supervisory personnel and subcontractors and/or independent consultants, if any.

4) **Financial Statements**

Submit copies of financial statements for the past two years or most recent twenty-four (24) month period.

- a) Annual income statement(s), and
- b) Quarterly or annual balance sheets

Audited statements are required. All noted audit exceptions must be fully explained. DHS will only accept financial statements that have been reviewed by a professional certified auditing firm.

**5) Staff Resumes**

Resume specifications appear in the Project Personnel section. To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

**6) Subcontractor/Consultant Resumes**

Submit a resume for each pre-identified subcontractor or independent consultant, if any, as discussed in the Project Personnel section. To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

**7) Subcontractor/Consultant Letters of Agreement**

For each pre-identified subcontractor and independent consultant that will be used to perform services under the resulting contract, submit a letter of agreement to work on this project.

A letter of agreement must be signed by an official representative of each subcontracted firm or independent consultant, indicating his or her acknowledgement of being named as a subcontractor or consultant, their availability to work on this project and acknowledgement that they have read or been made aware of the proposed contract terms, conditions and exhibits. Include an explanation if you cannot obtain a letter of agreement from each pre-identified subcontractor and consultant and indicate when a letter of agreement will be forthcoming.

j. Forms Section

Complete, sign and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below.

<b>Attachment and/or Documentation</b>	<b>Instructions</b>
2 - Required Attachment / Certification Checklist	<p>1) Check each item with “Yes” or “N/A”, as applicable, and sign the form. If necessary, explain your responses.</p> <p>2) If a proposer marks “Yes” or “N/A” and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, DHS considers this a “qualified response”. Any “qualified response”, determined by DHS to be unsatisfactory or insufficient to meet a requirement, may cause a proposal to be deemed nonresponsive.</p>
3 - Business Information Sheet	Completion of the form is self-explanatory.
4 - Client References	Identify three (3) clients you have serviced within the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.
5 - RFP Clause Certification	Complete and sign this form indicating your willingness and ability to comply with the contract certification clauses appearing in the RFP section entitled, “Bid Requirements and Information,” subsection “Bidding Certification Clauses”.
6 – CCC 304 - Certification	<p>Complete and sign this form indicating your willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment. The attachment supplied in this bid represents only a portion of the contractor information in this document. Visit this web site to view the entire document:</p> <p><a href="http://www.ols.dgs.ca.gov/Standard+Language/default.htm">http://www.ols.dgs.ca.gov/Standard+Language/default.htm</a>.</p>
7 - Payee Data Record	Complete and return this form, <u>only</u> if you have not previously entered a contract with DHS. If uncertain, complete and return the form.
8 – Follow-on Consultant Contract Disclosure	Complete and sign this form. If applicable, attach to this form the appropriate disclosure information.

Attachment and/or Documentation	Instructions
9a - Actual DVBE Participation and applicable DVBE certification(s) <b>and/or</b> 9b - Good Faith Effort with required documentation	Read and carefully follow the completion instructions in Attachment 9. Attach the documentation that is required for the form(s) you choose to submit. One and/or both of these two forms may be required. <b>Submission of these forms only applies to contract awards that equal \$10,000 or more for the entire contract term.</b>
10 - Target Area Contract Preference Act Request	Complete and return this form, <u>only</u> if your firm is based in California, your total bid is \$100,000 or more, DHS has not pre-set any part of the work location, and you wish to apply for TACPA preference.
11 - Enterprise Zone Act (EZA) Preference Request	Complete and return this form, <u>only</u> if your firm is based in California, the total bid offered is \$100,000 or more, no part of the work location has been preset by DHS, and you wish to apply for EZA preference.

#### 4. Cost Proposal Content

##### a. Basic Content

Cost Proposals consist of the following documents:

- 1) Cost Proposal form (Attachment 13).
- 2) Budget Detail Work Sheet(s) (Attachment 14a, 14c, 14e and 14g) for each fiscal year or budget period.
- 3) Subcontractor Budgets (Attachment 14b, 14d, 14f and 14h) for each fiscal year or budget period.
- 4) Required cost justification and documentation described later in this section.

##### b. General Instructions

- 1) All cost forms (Cost Proposal form or Budget Detail Work Sheets and Subcontractor Budgets) must be typewritten or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typewritten adjacent to the error. The person who signs the Cost Proposal should initial all corrections preferably in blue ink.
- 2) On the Cost Proposal form, indicate the annual cost for each budget period and include a total cost.
- 3) When completing the cost forms, include all estimated costs to perform the services for the entire term, including applicable annual rate adjustments attributable to merit

increases, profit margins, and inflation or cost of living adjustments. Whenever there is a cost range, budget for the average.

**c. Required Budget Detail Work Sheets**

- 1) Include with the Cost Proposal form, a Budget Detail Work Sheet and Subcontractor Budgets for each state fiscal year or budget period (Attachment 14a – 14h).
- 2) On each Budget Detail Work Sheet and Subcontractor Budgets, provide specific cost breakdowns for the budget line items identified in this section. Whenever there is a cost range, budget for the average.
- 3) All unit rates/costs, if any (i.e., square footage, salary rates/ranges, hourly rates, etc.), must be multiplied out and totaled for each budget period.
- 4) Please report costs using whole dollars only. Round fractional dollar amounts or cents to the nearest whole dollar amount.
- 5) When completing the Budget Detail Work Sheet(s) use only the format provided in the attachment. This attachment will be accessible electronically by September 6, 2005 on the OFP website at <http://www.ofp.dhs.ca.gov/OFP%20main/rfp.htm>. Use as many pages as are necessary to display your detailed budgeted costs. The Budget Detail Work Sheet and Subcontractor Budgets attachments included in this RFP are not intended to dictate the specific costs you are to report, but are intended to show you the required format for reporting your proposed budget detail.
- 6) Identify your projected detailed expenses for each line item identified below by following the instructions herein.

**a) Personnel Costs**

- i. Identify each funded position title or classification.
- ii. Indicate the number of personnel in each position/classification.
- iii. Indicate the full time equivalent (FTE) or annual percentage of time/effort for each position (i.e., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, number of hours, if hourly, etc.).
- iv. Identify the monthly salary rate or range for each position/classification. Include paid leave benefits such as sick leave, vacation, annual leave, holiday pay, etc. in the salary rates or ranges.
- v. Project an annual total for each position/classification.
- vi. If applicable, enter \$0 if no personnel costs will be incurred.
- vii. Enter the grand total for salary/wage expenses.

**b) Fringe Benefits**

Include fringe benefit expenses including, but not limited to, costs for worker's compensation insurance; unemployment insurance, health, dental, vision and/or life insurance; disability insurance; pension plan/retirement benefits; etc.

- i. Display fringe benefit costs as a percentage rate of the total personnel costs.
- ii. If applicable, enter \$0 if no fringe benefit costs will be incurred.

**c) Operating Expenses** (also referred to as General expenses)

Identify all direct project costs. Direct project costs may include but are not limited to the following expense items:

- i. Facility rental (i.e., office space, storage facilities, etc.). Include the amount of square footage and the rate per square foot.
- ii. Consumable office supplies.
- iii. Minor equipment purchases (i.e., items with a unit cost of less than \$5,000 and a useful life of one year or more).
- iv. Telecommunications (i.e., telephone or cellular telephones, fax, Internet service provider fees, etc.).
- v. Reproduction/printing/duplication.
- vi. Postage or messenger/delivery service costs.
- vii. Equipment/furniture rental/lease and maintenance.
- viii. Software (including license fees, upgrade/maintenance fees, etc.).
- ix. If applicable, enter \$0 if no operating expenses will be incurred.

**d) Equipment Expenses**

- i. DHS will reimburse major equipment purchases under the resulting contract.
- ii. DHS primarily classifies equipment as Major Equipment, Minor Equipment and Miscellaneous Property. Major Equipment is defined as a tangible or intangible item with a base unit cost of \$5,000 or more and a life expectancy of one year or more that is purchased or reimbursed with agreement funds. Major equipment is budgeted in this expense line item. Minor Equipment is defined as a tangible item with a base unit cost of less than \$5,000 and a life expectancy of one year or more and is on DHS' Minor Equipment List and that is purchased or reimbursed with agreement funds. Minor equipment is budgeted as an operating expense.
- iii. List each major equipment item you intend to purchase. Include the number of units and anticipated unit cost. Extend each unit cost to display applicable subtotals and show a total equipment cost.
- iv. Contractors may use their own purchasing system to obtain major equipment up to an annual limit of \$50,000. DHS must arrange all equipment purchases above this limit. Unlimited purchase delegations exist for California State colleges, public universities, and other governmental entities.
- v. If applicable, enter \$0 if no major equipment expenses will be incurred.

**e) Subcontract Expenses**

- i. Specify a total cost for all subcontracted services (including those performed by independent consultants). Subcontractors include any persons/firms performing contract services that are not on the Contractor's payroll.
- ii. If you intend to use subcontractors (including independent consultants), provide the information below depending on whether subcontractors are known/pre-identified or have yet to be determined.
  - A. For known/pre-identified subcontractors or independent consultants, identify each subcontractor/consultant by name and include a separate



expense breakdown for each of the subcontractor's costs for personnel expenses including fringe benefits, operating/general expenses, travel, subcontracts and indirect costs. **Use Attachments 14b, 14d, 14f and 14h if more than two subcontracts are anticipated.**

B. For unknown/unidentified subcontractors or independent consultant, list a title for each subcontracted activity/function and indicate a total projected cost for each activity/function to be out sourced.

iii. If applicable, enter \$0 if no subcontract expenses will be incurred.

**f) Travel Expenses**

- i. Indicate the total cost for travel and per diem. Include costs for expenses such as airfare, mileage reimbursement, parking, toll bridge fees, taxicab fares, overnight lodging and meal expenses, etc.
- ii. If applicable, enter \$0 if no travel expenses will be incurred.

**g) Other Costs**

- i. Indicate here those direct project expenses that do not clearly fit into the other budget line items. Such costs may include, but are not limited to training/conference registration fees, publication production costs, costs for educational material development or other items unique to performance.
- ii. If any service, product or deliverable will be provided on a fixed price or lump sum basis, name the items and/or deliverable and indicate "fixed price" or "lump sum" next to the item along with the price or fee.
- iii. If applicable, enter \$0.

**h) Indirect Costs**

- i. Express your indirect costs as a percentage rate.

Proposers must contain indirect costs at a rate no greater than 15% of total personnel costs including benefits. DHS will deem a proposal non-responsive if a proposer offers an indirect cost rate that exceeds this limit.

**i) Total Costs**

Enter a total annual cost for the stated fiscal year or budget period. Make sure all itemized costs equal this figure when added together.

**d. Required Cost Justification/Documentation**

In an attachment to the Cost Proposal, you are to include the following facts and information to explain the reasonableness and/or necessity of your proposed budgeted costs.

Include the following narrative information to explain the reasonableness and/or necessity of the proposed budgeted costs appearing on the Budget Detail Work Sheets.

- 1) Discuss how the number of project-funded staff, their proposed duties and time commitments are sufficient to achieve the proposed services and activities.
- 2) Include wage and/or salary justifications, including but not limited to:
  - a) How salary rates or ranges were determined.
  - b) Explain any cost of living, merit or other salary adjustments that are included in the personnel line item. Explain how the amount of each adjustment was determined and explain the frequency or interval at which the adjustment is to be granted. **This only applies if you included merit increases, cost of living, or other salary adjustments in the personnel expense line item.**

In light of the State's fiscal uncertainties, DHS reserves the right to negotiate a lower cost of living percentage increase/amount or withhold approval of any projected cost of living increase in any contract budget year if the Proposer's projected increase exceeds the cost of living adjustment granted to civil service employees during the same fiscal period.

- 3) Fringe Benefit explanation. **This requirement only applies if fringe benefit expenses are budgeted.**
  - a) Identify and/or explain the expenses that make up fringe benefit costs. Typical fringe benefit costs can include worker's compensation insurance; unemployment insurance, health, dental, vision and/or life insurance; pension plan/retirement benefits; etc.
  - b) If applicable, identify any positions that do not earn fringe benefits and/or that receive different benefit levels.
- 4) Major equipment costs and explanation of purchasing system. **This requirement only applies if major equipment purchases are budgeted.**
  - a) For each major equipment item listed in an annual Budget Detail Work Sheet, explain why the equipment item is needed and how it will be used to carry out the work. If applicable, explain why a lease is not preferable to a purchase.
  - b) Describe briefly, your firm's purchasing system including how you will ensure that prices are competitive and how you will insure that purchases are carried out responsibly.
- 5) Subcontractor/Independent consultant use and fees/rates and costs. **This requirement only applies if subcontractor (including independent consultant) costs are budgeted.**
  - a) Discuss the necessity of using each subcontractor and/or independent consultant. Explain what contributions their services and expertise will add to this project.
  - b) Provide a justification for the fees/wages budgeted for known/pre-identified subcontractors (including independent consultants). Include information, such

as, but not limited to, the subcontractor's or consultant's current pay rate, past wage/salary/fee history, standard industry rates paid for comparable/similar services. If applicable, explain other factors you used to determine the proposed pay levels such as notoriety in a specific field, possession of expert credentials, etc. that explain the reasonableness of the proposed costs/fees or wage rates.

- c) For **unknown/unidentified** subcontractors (including consultants), explain how you determined the amount to budget for each proposed subcontracted activity or function.
- 6) Travel expense justification/explanation. **This requirement only applies if travel expenses are budgeted.**

- a) If you propose travel expenses equal to \$50,000 or more in any budget period, itemize all major travel and per diem expenses. At a minimum, include an estimated number of trips, to and from destinations, length of travel per trip (i.e., number of days and nights), number of travelers and mode of transportation.
- b) **Note:** Travel reimbursement generally may not exceed the current rates paid to nonrepresented State employees.

Expenses exceeding current State rates must be explained and justified and are subject to prior DHS approval. Request a copy of the State employee travel reimbursement rates if DHS failed to attach the rates to the RFP (e.g., the Travel Reimbursement Information exhibit).

State employees receive discounted lodging rates in many areas. In justifying per diem costs, indicate if you do not have access to discounted rates.

- c) If travel expenses are less than \$50,000 in any budget period, briefly explain how you estimated your proposed travel costs.
- 7) Other Costs explanation. **This requirement only applies if "Other costs" are budgeted.**
- a) Itemize each expense item making up the "Other Costs" line item.
  - b) Explain why each expense item is necessary. Also, explain how you determined the amount of each expense.
  - c) If you offered any services or deliverables on a fixed price or lump sum or fixed-price basis, explain how you determined the price or cost.
- 8) Include, at your option, any other information that will assist DHS to understand how you determined your costs and why you believe your costs are reasonable, justified and/or competitive. Unless discussed elsewhere within this section, explain any unusually high cost elements appearing in any budget line item.

## K. Proposal Submission

### 1. Technical Proposal

- a. Assemble an original and five (5) copies of your Technical Proposal together. Place the Technical Proposal set marked "Original" on top, followed by the five (5) extra copies.
- b. Place all Technical Proposal copies in a single envelope or package, if possible. Seal the envelope or package.

If you submit more than one envelope or package, carefully label each one as instructed below and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

- c. Mail or arrange for hand delivery of your Technical Proposal to the Department of Health Services, Contract Management Unit (CMU). Proposals may not be transmitted electronically by fax or email.
- d. The Contract Management Unit must receive your Technical Proposal, regardless of postmark or method of delivery, by **4:00 p.m. on November 4, 2005**. Late proposals will not be reviewed or scored.
- e. Label and submit your Technical Proposal using one of the following methods.

Hand Delivery or Overnight Express:	U.S. Mail:
<b>Technical Proposal RFP 05-45369</b> Department of Health Services Mail Station Code 1403 Contract Management Unit 1501 Capitol Avenue, Suite 71.2101 Sacramento, CA 95814	<b>Technical Proposal RFP 05-45369</b> Department of Health Services Mail Station Code 1403 Contract Management Unit P.O. Box 997413 Sacramento, CA 95899-7413

- f. Proposer Warning

DHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If you mail your Technical Proposal, consider using certified or registered mail and request a receipt upon delivery. If you choose hand delivery, allow sufficient time to locate on street metered parking and to sign-in at the security desk

### 2. Cost Proposal

- a. Assemble an original and five (5) copies of your Cost Proposal together. Place the Cost Proposal set marked "Original" on top, followed by the five (5) extra copies.
- b. Place all cost proposal copies in a single envelope apart from the Technical Proposal. Seal the envelope.

- c. Mail or arrange for hand delivery of your Cost Proposal to the Department of Health Services, Contract Management Unit (CMU). Proposals may not be transmitted electronically by fax or email.
- d. The Contract Management Unit must receive your Cost Proposal, regardless of postmark or method of delivery, by **4:00 p.m. on November 4, 2005**. Late Cost Proposals will not be publicly opened or read.
- e. Label and submit your Cost Proposal using one of the following methods.

<b>Hand Delivery or Overnight Express:</b>	<b>U.S. Mail:</b>
<b>Cost Proposal RFP 05-45369 (Do Not Open)</b> Department of Health Services Mail Station Code 1403 Contract Management Unit 1501 Capitol Avenue, Suite 71.2101 Sacramento, CA 95814	<b>Cost Proposal RFP 05-45369 (Do Not Open)</b> Department of Health Services Mail Station Code 1403 Contract Management Unit P.O. Box 997413 Sacramento, CA 95899-7413

f. **Proposer Warning**

DHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If you mail your Cost Proposal, consider using certified or registered mail and request a receipt upon delivery. If you choose hand delivery, allow sufficient time to locate on street metered parking and to sign-in at the security desk.

**3. Proof of Timely Receipt**

- a. DHS staff will log and attach a date/time stamped slip or bid receipt to each proposal package/envelope received. If a proposal envelope or package is hand delivered, DHS staff will give a bid receipt to the hand carrier upon request.
- b. To be timely, DHS' Contract Management Unit must receive each Technical Proposal and Cost Proposal at the stated delivery address no later than 4:00 p.m. on the proposal submission due date. Neither delivery to the department's mailroom or a U.S. postmark will serve as proof of timely delivery.
- c. DHS will deem late Technical and/or Cost Proposals nonresponsive.

**4. Proposer Costs**

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to DHS or included in any cost element of a Proposer's price offering.

## **L. Evaluation and Selection**

A multiple stage evaluation process will be used to review and/or score technical proposals. DHS will reject any technical or cost proposal that is found to be nonresponsive at any stage of evaluation.

### **1. Stage 1 – Required Attachment / Certification Checklist Review**

- a. Shortly after the proposal submission deadline, DHS staff will convene to review each Technical Proposal for timeliness, completeness and initial responsiveness to the RFP requirements. This is a pass/fail evaluation.
- b. In this review stage, DHS will compare the contents of each Technical Proposal to the claims made by the Proposer on the Required Attachment / Certification Checklist to determine if the Proposer's claims are accurate.
- c. If deemed necessary, DHS may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a Proposer to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the Technical Proposal is initially responsive to the RFP requirements.
- d. If a Proposer's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated, the Technical Proposal will be deemed nonresponsive and rejected from further consideration.

### **2. Stage 2 – Technical Proposal Evaluation/Scoring**

- a. Technical Proposals that appear to meet basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.

Raters will individually and/or as a team review, evaluate and numerically score Technical Proposals based on the Proposal's adequacy, thoroughness, and the degree to which it complies with the RFP requirements.

- b. DHS will use the following scoring system to assign points. Following this chart is a list of the considerations that raters may take into account when assigning individual points to a Technical Proposal.

<b>Points</b>	<b>Interpretation</b>	<b>General basis for point assignment</b>
<b>0</b>	<b>Inadequate</b>	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet DHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
<b>1</b>	<b>Barely Adequate</b>	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets DHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s), are inconsequential and acceptable.

<b>2</b>	<b>Fully Adequate</b>	Proposal response (i.e., content and/or explanation offered) is fully adequate or fully meets DHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
<b>3</b>	<b>Excellent or Outstanding</b>	Proposal response (i.e., content and/or explanation offered) is above average or exceeds DHS' needs/requirements or expectations. Minimal weaknesses are acceptable. Proposer offers one or more enhancing feature, method or approach that will enable performance to exceed our basic expectations.

c. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:

- 1) Is lacking information, lacking depth or breadth, or lacking significant facts and/or details, and/or
- 2) Is fully developed, comprehensive and has few if any weaknesses, defects or deficiencies, and/or
- 3) Demonstrates that the Proposer understands DHS' needs, the services sought, and/or the contractor's responsibilities, and/or
- 4) Illustrates the Proposer's capability to perform all services and meet all scope of work requirements, and/or
- 5) If implemented, will contribute to the achievement of DHS' goals and objectives, and/or
- 6) Demonstrates the Proposer's capacity, capability and/or commitment to exceed regular service needs (i.e., enhanced features, approaches, or methods, creative or innovative business solutions).

d. Below are the point values and weight values for each rating category that will be scored.

- 1) Technical Proposals will be scored on a scale of 0 to 202.5 points, as follows:

<b><u>Rating Category</u></b>	<b><u>Points</u></b>	<b><u>X</u></b>	<b><u>Weight</u></b>	<b><u>=</u></b>	<b><u>Total</u></b>
Executive Summary	15	X	0.5	=	7.5
Agency Capability	51	X	1.5	=	76.5
Work Plan	36	X	2.0	=	72
Management Plan	24	X	1.0	=	24
Project Personnel	24	X	1.5	=	36
Facilities and Resources	06	X	1.0	=	06
<b>Grand Total</b>					<b>222.0</b>

- 2) DHS will consider a Technical Proposal technically deficient and nonresponsible if the proposal earns a score that is less than **182.5** points. Nonresponsible Technical Proposals will not advance to Stage 3.

### **3. Stage 3 – Cost Proposal Opening/Reading**

- a. Proposers whose Technical Proposals earn a passing score in Stage 2 will have their Cost Proposal opened and read. Cost Proposals will be publicly opened and read on **November 30, 2005 at 3:00 p.m.**, at the following address:

Department of Health Services  
Maternal, Child and Adolescent Health Branch/Office of Family Planning  
MS 8400  
1615 Capitol Avenue, Suite 73.430  
P.O. Box 997413  
Sacramento, CA 95899-7413

- b. After the Cost Proposal opening, DHS raters will review each Cost Proposal to determine its responsiveness to the Cost Proposal format and content requirements stated in the RFP. DHS may deem a proposer nonresponsive if its Cost Proposal fails to substantially comply with the RFP requirements.
- c. If deemed necessary, DHS may collect additional documentation (i.e., missing facts, forms, documentation, initialed corrections, signatures, etc.) from a Proposer to confirm its responsiveness to the RFP requirements.

### **4. Stage 4 – Adjustments To Score Calculations For Bidding Preferences**

- a. DHS will determine which firms, if any, are eligible to receive a bidding preference (i.e., small business, TACPA (Attachment 10), and/or EZA (Attachment 11)).
- b. To confirm the identity of the lowest responsible Proposer, DHS will adjust the total proposal costs for applicable claimed preference(s). DHS will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the Department of General Services. More information about the allowable bidding preferences appears in the RFP section entitled, "Preference Programs".



## M. Technical Proposal Rating Factors

Raters will use the following criteria to score each Technical Proposal.

### 1. Executive Summary

<b>Executive Summary Rating Factors</b> [Not to exceed 3 pages]	<b>Points Possible</b>	<b>Points Earned</b>
To what extent did the Proposer express, in its own words, its understanding of DHS' needs and the importance of this project?  <b>Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.</b>	<b>3</b>	
To what extent did the Proposer demonstrate the tangible results that it expects to achieve?  <b>Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.</b>	<b>3</b>	
To what extent did the Proposer express a sincere commitment to perform this work in an efficient and timely manner?	<b>3</b>	
To what extent did the Proposer demonstrate that it can effectively integrate this project into its current obligations and existing workload?	<b>3</b>	
To what extent did the proposer adequately explain why it should be chosen to undertake this project at this time?	<b>3</b>	
<b>Executive Summary Score</b> <b>Points earned X 0.5 =</b>		

### 2. Agency Capability

<b>Agency Capability Rating Factors</b>	<b>Points Possible</b>	<b>Points Earned</b>
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and implementing successful outreach and recruitment strategies for private and public medical care providers?	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and conducting training sessions and workshops for medical care providers and clinic staff?	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and conducting customized technical assistance and consultation for medical care providers?	<b>3</b>	

Agency Capability Rating Factors	Points Possible	Points Earned
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in assessing the quality of education sessions for medical care providers and clinic staff, and using existing data sources and participant feedback to determine ongoing provider education needs.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in communicating effectively with medical care providers and clinic staff, particularly those in the private sector.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in creating effective health education materials for the spectrum of audiences from medical care providers to program clients and the general public.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in implementing program awareness campaigns using appropriate program literature, conference exhibits, and small and large group presentations.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in communicating with and tracking the needs of program participants using computer technology and the Internet, maintaining websites and providing and updating website content.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in developing and maintaining networks and linkages with professional and agency educational resources, county health departments, stakeholder groups, relevant community health programs, and primary care provider groups.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working in ethnically diverse communities in California and with diverse groups of medical care providers and staff.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working effectively and cooperatively with government representatives and diverse stakeholder groups.	3	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working successfully as a team with other private or government contractors in implementing a statewide, government program.	3	

<b>Agency Capability Rating Factors</b>	<b>Points Possible</b>	<b>Points Earned</b>
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in incentivising medical care providers in incorporating new health care programs into their existing practices in efficient and client-friendly ways while also following program standards and administrative policies.	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working with ancillary and non-medical clinic staff to implement new health care programs into clinic settings in ways that are accessible and welcoming to clients.	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in working with medical care providers and clinical staff on program quality improvement and services utilization management.	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in maintaining an organizational infrastructure for collecting, managing, and reporting program data and contract deliverables.	<b>3</b>	
From the experience described in its proposal, to what extent does the Proposer possess sufficient experience in managing the fiscal aspects of government contracts including access to an administrative infrastructure for contract management activities and responsibilities.	<b>3</b>	
<b>Agency Capability Score</b> <b>Points earned X 1.5 =</b> _____		

### 3. Work Plan

<b>Work Plan Rating Factors</b>	<b>Points Possible</b>	<b>Points Earned</b>
To what extent are the Proposer's overall approach and/or methods that you will use to accomplish the scope of work.	<b>3</b>	
Explain why you chose the particular approaches and methods that are proposed (e.g., proven success or past effectiveness, etc.).	<b>3</b>	
If applicable, explain what is unique, creative, or innovative about your proposed approaches and/or methods.	<b>3</b>	
If you envision any major complications or delays at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if you do not anticipate any major complications or delays.	<b>3</b>	
If, for any reason, your Work Plan does not wholly address each Scope of Work (SOW) requirement, fully explain each omission. Likewise, indicate if your Work Plan contains no omissions.	<b>3</b>	

<b>Work Plan Rating Factors</b>	<b>Points Possible</b>	<b>Points Earned</b>
Indicate the assumptions you made in developing the Work Plan in response to DHS' Scope of Work. For each assumption listed, explain the reasoning or rationale that led you to that assumption. Likewise, indicate if no assumptions were made.	<b>3</b>	
If applicable, identify any additional Contractor and/or State responsibilities that you included in your Work Plan that you believe are necessary to ensure successful performance, but you believe were omitted from DHS' Scope of Work. Likewise, indicate if no additional Contractor and/or State responsibilities, outside of those identified in DHS' SOW were included in your Work Plan.	<b>3</b>	
Identify the specific tasks/activities and functions that you will perform in the order you believe they will occur. Include the following in-depth information for each task/activity or function in the work plan:  i. Indicate who will have primary responsibility for performing each major task/activity or function. If known, identify the name and position title of all key personnel, subcontractors and/or consultants that will perform the work.  If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined".	<b>3</b>  <b>3</b>	
ii. Include a performance time line for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one fiscal period or year, indicate the beginning and ending month and year.  If desirable, in addition to start and end dates, you may use other terms such as start-up, on-going, continuous, take-over, turn-over, etc. to describe the performance time line. In doing so, you must define the meaning of each unique term that you use.	<b>3</b>  <b>3</b>	
iii. Explain/describe how you intend to measure or prove successful completion of each major task, function or activity.  If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.	<b>3</b>	
<b>Work Plan Summary Score      Points earned X 2.0 =</b>		

#### 4. Management Plan

Management Plan Rating Factors	Points Possible	Points Earned
To what extent has the Proposer demonstrated its capability to effectively coordinate, manage and monitor the efforts of assigned staff (including subcontractors and consultants) to ensure that work is effectively completed and timely?	3	
Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent are the fiscal processes and controls adequate to ensure the responsible use and management of contract funds and accurate invoicing?	3	
Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent can the Proposer properly account for state project costs to ensure that only appropriate costs are billed to DHS?	3	
Upon reviewing a description of its fiscal accounting processes and budgetary controls, to what extent does the Proposer has appropriate fiscal reporting and fiscal monitoring capabilities to ensure contract funds are managed responsibly?	3	
Upon reviewing a description of its fiscal accounting processes and budgetary controls, to what extent has the Proposer demonstrated that it will maintain appropriate documentation to prove, support or substantiate the expenses invoiced to DHS?	3	
Upon reviewing the Proposer's organization chart in the Appendix Section, to what extent is the Proposer's organizational structure sound with distinct lines of authority and reporting relationships between management and all staff including subcontractors and independent consultants?	3	
Upon reviewing the Proposer's financial statements in the Appendix Section, to what extent is the Proposer financially stable and sound?	3	
Upon reviewing the Proposer's financial statements in the Appendix Section, to what extent does the Proposer have access to appropriate fiscal resources to carry State expenses for several months while awaiting reimbursement?	3	
<b>Management Plan Score</b> _____ <b>Points earned X 1.0 =</b> _____		

## 5. Project Personnel

Project Personnel Rating Factors	Points Possible	Points Earned
Upon reviewing the Proposer's staffing plan, to what extent has the Proposer allocated a sufficient number of staff in the appropriate position levels or classifications to perform the full range of services?	3	
Upon reviewing the Proposer's staffing plan, to what extent has the Proposer allocated ample FTEs or percentages of staff time for each position or classification?	3	
Upon reviewing the proposed salary rates or ranges and proposed duties for the proposed personnel, to what extent are the salary rates or ranges appropriate in relation to the assigned duties and level of responsibility?	3	
Upon reviewing the proposed job descriptions or duty statements for the proposed personnel, to what extent has the Proposer reasonably assigned the job responsibilities and tasks among the different personnel?	3	
Upon reviewing the proposed job descriptions or duty statements for the proposed personnel (including subcontractors and independent consultants), to what extent has the Proposer reasonably divided the work between its in-house resources and proposed subcontractors (including independent consultants)? <b>If no subcontracting or use of consultants is proposed, up to 3 points will be assigned based on the effectiveness of the Proposer's allocation of tasks to its in-house personnel.</b>	3	
Upon reviewing the job descriptions and resumes of the proposed staff <i>[excluding the project director(s)/administrator(s) or project coordinator(s)]</i> , to what extent do the proposed personnel possess the qualifications and expertise needed to perform the assigned duties?	3	
Upon reviewing the job descriptions and resumes of the proposed project director(s)/administrator(s) or project coordinator(s), to what extent do the proposed personnel possess the qualifications, past experience and expertise needed to carry out their assigned responsibilities?	3	
Upon reviewing the Proposer's administrative policies and procedures, to what extent will the policies/procedures lead to the recruitment and selection of qualified, competent and experienced staff, subcontractors and/or independent consultants for this project?	3	
<b>Project Personnel Score</b> _____ <b>Points earned X 1.5 =</b> _____		

## 6. Facilities and Resources

Facilities and Resources Rating Factors	Points Possible	Points Earned
To what extent does the Proposer have access to office facilities that are sufficient to enable performance of the scope of work?	3	
To what extent does the Proposer have access to support services and other resources that are needed to ensure successful performance?	3	
Facilities and Resources Score _____ Points earned X 1.0 = _____		

## N. Bid Requirements and Information

### 1. Nonresponsive Proposals

In addition to any condition previously indicated in this RFP, the following occurrences **may** cause DHS to deem a proposal nonresponsive.

- a. Failure of a Proposer to:
  - 1) Meet DVBE participation goals or to demonstrate that a substantial Good Faith Effort (GFE) was made to meet those goals
  - 2) Meet Technical/Cost Proposal format/content or submission requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of proposals.
  - 3) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to DHS' satisfaction, all "N/A" designations).
- b. If a Proposer submits a Technical or Cost Proposal that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
- c. If a Proposer supplies false, inaccurate or misleading information or falsely certifies compliance on any RFP attachment.
- d. If DHS discovers, at any stage of the bid process or upon contract award, that the Proposer is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFP or the resulting contract.
- e. If other irregularities occur in a Technical or Cost Proposal response that is not specifically addressed herein (i.e., the Proposer places any conditions on performance of the scope of work, submits a counter proposal, etc.).

## 2. Proposal Modifications After Submission

- a. All proposals are to be complete when submitted. However, an entire Technical and/or Cost Proposal may be withdrawn and the Proposer may resubmit a new Technical and/or Cost Proposal.
- b. To withdraw and/or resubmit a new Technical or Cost Proposal, follow the instructions appearing in the RFP section entitled, "Withdrawal and/or Resubmission of Proposals".

## 3. Proposal Mistakes

If prior to contract award, award confirmation, or contract signing, a proposer discovers a mistake in their proposal and/or cost offering that renders the proposer unable or unwilling to perform all scope of work services as described in its proposal response for the price/costs offered, the proposer must immediately notify DHS and submit a written request to withdraw its proposal. Withdrawal instructions appear below.

## 4. Withdrawal and/or Resubmission of Proposals

### a. Withdrawal Deadlines

A proposer may withdraw a Technical or Cost Proposal at any time before the Technical and Cost Proposal submission deadline.

### b. Submitting a Withdrawal Request

- 1) Submit a written withdrawal request, signed by an authorized representative of the Proposer.
- 2) Label and submit the withdrawal request using one of the following methods.

<b>U.S. Mail, Hand Delivery or Overnight Express:</b>	<b>Fax:</b>
<b>Withdrawal RFP 05-45369</b> Department of Health Services Contract Management Unit Mail Station Code 1403 1501 Capitol Avenue, Suite 71.2101 P.O. Box 997413 Sacramento, CA 95899-7413	<b>Withdrawal RFP 05-45369</b> Department of Health Services Contract Management Unit  <b>Fax: (916) 650-0110</b>

- 3) **[For faxed withdrawal requests]** Proposers must call (916) 650-0100 to confirm receipt of a faxed withdrawal request. Follow-up the faxed request by mailing or delivering the signed original withdrawal request within 24 hours after submitting a faxed request.

An originally signed withdrawal request is generally required before DHS will return a Technical or Cost Proposal to a Proposer. DHS may grant an exception if the Proposer informs DHS that a new or replacement proposal will immediately follow the withdrawal.



c. Resubmitting a proposal

After withdrawing a proposal, Proposers may resubmit a new Technical or Cost Proposal according to the proposal submission instructions. Replacement proposals must be received at the stated place of delivery by the Technical and/or Cost Proposal due date and time.

**5. Contract Award and Protests**

a. Contract Award

- 1) Award of the contract, if awarded, will be to the responsive and responsible Proposer, who earns the required minimum Technical Proposal passing score and who offers the lowest cost. The lowest cost will be determined after DHS adjusts Proposer costs for applicable bidder preferences.
- 2) DHS shall award the contract only after DHS posts a Notice of Intent to Award for five (5) working days. DHS expects to post the Notice of Intent to Award before the close of business on January 10, 2006 in a Contract Award Notices Binder which will be available for viewing by the public during normal business hours, at the following location:  
  
Department of Health Services  
Contract Management Unit  
1501 Capitol Avenue, First Floor Guard Station  
Sacramento, CA 94234-7320
- 3) DHS will mail or fax a written notification and/or a copy of the Notice of Intent to Award to all firms that submitted a proposal.
- 4) DHS will confirm the contract award to the winning Proposer after the protest deadline, if no protests are filed or following the Department of General Service's resolution of all protests. DHS staff may confirm an award verbally or in writing.

b. Settlement of Ties

In the event of a precise tie between the low responsible cost proposal submitted by a certified small business and the low responsible cost proposal submitted by a certified DVBE, the contract will be awarded to the DVBE per Government Code Section 14838(f) et seq.

DHS will settle all other tied cost proposals by making an award to the Proposer who earns the highest Technical Proposal score. If Technical Proposal scores are also tied, DHS will settle the tie in a manner that DHS determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will DHS settle a tie by dividing the work among the tied Proposers.

c. Protests

1) Who can Protest

Any proposer who submits a proposal may file protest if the Proposer believes its Technical and Cost Proposal is responsive to all RFP requirements and its price offering is the lowest bid.

2) Grounds for Protests

Protests are limited to the grounds described in Public Contract Code (PCC) Section 10345. DHS will not make an award until all protests are withdrawn by the protestant, denied, or resolved to the satisfaction of the Department of General Services (DGS).

3) Protest Time Lines

- a. Eligible Proposers may file a first and quite brief "Notice of Intent to Protest" within five working days after DHS posts the Notice of Intent to Award.
- b. Within five calendar days after filing a "Notice of Intent to Protest", the protestant must file a full and complete written protest statement identifying the specific grounds for the protest. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the protestant believes DHS has improperly applied in awarding the contract.

4) Submitting a Protest

Protests must be filed with both the Department of General Services and the Department of Health Services. You may hand deliver, mail or fax your protest.

Label, address and submit the initial protest notice and detailed protest statement using one of the following methods.

Hand Delivery, Mail or Overnight Express:	Fax:
<b>Protest to DHS RFP 05-45369</b> Dept. of Health Services Mail Station Code 1403 Contract Management Unit 1501 Capitol Avenue, Suite 71.2101 P.O. BOX 997413 Sacramento, CA 95899-7413	<b>Protest to DHS RFP 05-45369</b> Dept. of Health Services Contract Management Unit  <b>Fax:</b> (916) 650-0110

<b>Hand Delivery, Mail or Overnight Express:</b>	<b>Fax:</b>
<b>Protest to DHS RFP 05-45369</b> Dept. of General Services Office of Legal Services Attention: Protest Coordinator 707 Third Street, 7 <sup>th</sup> Floor, Suite 7-330 P.O. Box 989052 West Sacramento, CA 95798-9052	<b>Protest to DHS RFP 05-45369</b> Dept. of General Services Office of Legal Services  <b>Fax:</b> (916) 376-5088

### **For Faxed Protests**

Faxed protests must be followed-up by sending an original signed protest, with all supporting material, within one (1) calendar week of submitting the faxed protest.

Call the telephone numbers below to confirm your fax transmission:

Department of General Services	(916) 376-5080
Department of Health Services	(916) 650-0100

## **6. Disposition of Proposals**

- a. All materials submitted in response to this RFP will become the property of the Department of Health Services and, as such, are subject to the Public Records Act (GC Section 6250, et seq.). DHS will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. However, proposal contents, proposer correspondence, selection working papers, or any other medium shall be held in the strictest confidence until the Notice of Intent to award is posted.
- c. DHS may return a technical or cost proposal to a Proposer at their request and expense after DHS concludes the bid process.

## **7. Inspecting or Obtaining Copies of Proposals**

- a. Who can Inspect or Copy Proposal Materials

Any person or member of the public can inspect or obtain copies of any proposal materials.

- b. What can be Inspected / Copied and When

- 1) After the Pre-Proposal Conference, the sign-in or attendance sheet is a public record and will be available for inspection or copying.

- 2) On or after the date DHS posts the Notice of Intent to Award, all proposals, letters of intent, checklists and/or scoring/evaluation sheets become public records. These records shall be available for review, inspection and copying during normal business hours.

c. Inspecting or Obtaining Copies of Proposal Materials

Persons wishing to view or inspect any proposal or award related materials must identify the items they wish to inspect and must make an inspection appointment by contacting Laurie Weaver at (916) 650-0414.

Persons wishing to obtain copies of proposal materials may visit DHS or mail a written request to the DHS office identified below. The requestor must identify the items they wish to have copied. Materials will not be released from State premises for the purposes of making copies.

Unless waived by DHS, a check covering copying and/or mailing costs must accompany the request. Copying costs, when applicable, are charged at a rate of **ten cents** per page. DHS will fulfill all copy requests as promptly as possible. Submit copy requests as follows:

**Request for Copies - RFP 05-45369**

Department of Health Services

Statewide Family Planning, Access, Care, and Treatment (PACT) Training and Technical Assistance Project

Laurie Weaver

MS 8400

1615 Capitol Avenue, Suite 73.430 P.O Box 997413

Sacramento, CA. 95899-7413

**8. Verification of Proposer information**

By submitting a proposal, Proposers agree to authorize DHS to:

- a. Verify any and all claims made by the Proposer including, but not limited to verification of prior experience and the possession of other qualification requirements, and
- b. Check any reference identified by a Proposer or other resources known by the State to confirm the Proposer's business integrity and history of providing effective, efficient and timely services.

**9. DHS Rights**

In addition to the rights discussed elsewhere in this RFP, DHS reserves the following rights.

a. RFP Corrections

- 1) DHS reserves the right to do any of the following up to the Technical or Cost Proposal submission deadline:

- a) Modify any date or deadline appearing in this RFP or the RFP Time Schedule.

- b) Issue clarification notices, addenda, alternate RFP instructions, forms, etc.
  - c) Waive any RFP requirement or instruction for all proposers if DHS determines that the requirement or instruction was unnecessary, erroneous or unreasonable. If deemed necessary by DHS, DHS may also waive any RFP requirement or instruction after the proposal submission deadline
  - d) Allow Proposers to submit questions about any RFP change, correction or addenda. If DHS allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) If this RFP is clarified, corrected, or modified, DHS will mail or fax written clarification notices and/or RFP addenda to all persons/firms to whom DHS sent this RFP.

If DHS decides, just before or on the proposal due date, to extend the submission deadline, DHS may choose to notify potential proposers of the extension by fax or by telephone. DHS will follow-up any verbal notice in writing by fax or by mail.

b. Collecting Information from Proposers

- 1) If deemed necessary, DHS may request a Proposer to submit additional documentation during or after the Technical Proposal review and evaluation, or after the Cost Proposal opening. DHS will advise the Proposers orally, by fax or in writing of the documentation that is required and the time line for submitting the documentation. DHS will follow-up oral instructions in writing by fax or mail. Failure to submit the required documentation by the date and time indicated may cause DHS to deem a proposal nonresponsive.
- 2) DHS, at its sole discretion, reserves the right to collect, by mail, fax or other method; the following omitted documentation and/or additional information.
  - a) Signed copies of any form submitted without a signature.
  - b) Data or documentation omitted from any submitted RFP attachment/form.
  - c) Information/material needed to clarify or confirm certifications or claims made by a Proposer.
  - d) Information/material or form needed to correct or remedy an immaterial defect in a Technical or Cost Proposal.
- 3) The collection of proposer documentation may cause DHS to extend the date for posting the Notice of Intent to Award. If DHS changes the posting date, DHS will advise the Proposers, orally or in writing, of the alternate posting date.

c. Immaterial Proposal Defects

- 1) DHS may waive any immaterial defect in any Technical Proposal or Cost Proposal and allow the Proposer to remedy those defects. DHS reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
- 2) DHS' waiver of an immaterial defect in a Technical or Cost Proposal shall in no way modify this RFP or excuse a Proposer from full compliance with all bid requirements.

d. Correction of Clerical or Mathematical Errors

- 1) DHS reserves the right, at its sole discretion, to overlook, correct or require a Proposer to remedy any obvious clerical or mathematical errors occurring in a Technical Proposal, on a Cost Proposal form or on a Budget Detail Work Sheet.
- 2) If the correction of an error results in an increase or decrease in the total price, DHS shall give the Proposer the option to accept the corrected price or withdraw their proposal.
- 3) Proposers may be required to initial corrections to costs and dollar figures on the Cost Proposal form or a Budget Detail Work Sheet if the correction results in an alteration of the annual costs or total cost offered.
- 4) If a mathematical error occurs in a total or extended price and a unit price is present, DHS will use the unit price to settle the discrepancy.

e. Right to Remedy Errors

DHS reserves the right to remedy errors caused by:

- 1) DHS office equipment malfunctions or negligence by agency staff,
- 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).

f. No Contract Award or RFP Cancellation

The issuance of this RFP does not constitute a commitment by DHS to award a contract. DHS reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of DHS to do so.

g. Contract Amendments After Award

As provided in the Public Contract Code governing contracts awarded by competitive bid, the DHS reserves the right to amend the contract after DHS makes a contract award.

h. Proposed Use of Subcontractors and/or Independent Consultants

Specific subcontract relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect DHS' right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing Changes After Contract Award

DHS reserves the right to approve or disapprove changes in key personnel that occur after DHS awards the contract.

## **O. Bidding Certification Clauses**

### **1. Certificate of Independent Price Determination**

- a. The prospective proposer certifies that:
  - 1) The prices in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other proposer, proposer or competitor for the purpose of restricting competition relating to:
    - a) The prices or costs offered,
    - b) The intention to submit a bid or proposal,
    - c) The methods or factors used to calculate the costs or prices offered.
  - 2) The prices in this bid or proposal have not been and will not be knowingly disclosed by the proposer, directly or indirectly, to any other proposer or competitor before the bid/cost proposal opening date or date of contract award posting, unless otherwise required by law.
  - 3) No attempt has been made or will be made by the proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.
- b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the proposer's organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a.

### **2. Debarment and Suspension Certification**

- a. The Contractor certifies to the best of its knowledge and belief, that it and its principals:
  - 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;
  - 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph a.2 of this certification; and

- 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
  - 5) It shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by the State.
  - 6) It will include a clause entitled "Debarment and Suspension Certification" that essentially sets forth the provisions herein, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- b. If the Contractor is unable to certify to any of the statements in this certification, the Contractor shall submit an explanation to the program funding this contract.

### **3. Lobbying Restrictions and Disclosure**

(This certification only applies if the resulting contract total will equal or exceed \$100,000 and the contract will be federally funded in part or whole.)

- a. The Contractor certifies, to the best of its knowledge and belief, that:
- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
  - 3) The Contractor shall require that the contents of this certification be collected from the recipients of all subawards, exceeding \$100,000, at all tiers (including subcontracts, subgrants, etc.) and shall be maintained for three years following final payment/settlement of those agreements.
- b. This certification is a material representation of fact upon which reliance was placed when this contract was made and/or entered into. The making of the above certification is a prerequisite for making or entering into this contract pursuant to 31 U.S.C. 1352 (45 CFR 93). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- c. The Standard Form-LLL may be obtained from various federal agencies, federally sponsored World Wide Web Internet sites, DHS upon request or may be copied from Exhibit D(F) entitled, Special Terms and Conditions .



## **P. Preference Programs**

To confirm the identity of the lowest responsible Proposer, DHS will adjust the total proposal cost for applicable claimed preference(s). DHS will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the Department of General Services.

### **1. Small Business Enterprises**

- a. Responsive and responsible California proposers claiming preference and verified as a certified small business (including microbusiness) in a relevant business type will be granted a preference up to five percent (5%) of the lowest responsible bid or \$50,000 whichever is less, if the lowest bid is submitted by a proposer that is not certified as a small business or microbusiness in a relevant business type. The “service” category or business type will most likely apply to this procurement.
- b. In granting small business preference, DHS cannot reduce any dollar bid by more than \$50,000. The cost adjustment is for computation purposes only and does not alter the actual cost offered by the Proposer.
- c. To be certified as a “small business” (including a microbusinesses) and eligible for a bidding preference the business must:
  - 1) Have requested the status of small business and/or microbusiness and become certified by the appropriate office of the Department of General Services (DGS) [formerly referred to as Office of Small Business Certification and Resources] as a small business no later than 5:00 p.m. on the proposal submission deadline or cost proposal opening date, whichever is later.
  - 2) Not be dominant in its field of operations,
  - 3) Be independently owned and operated,
  - 4) Have its principal office located in California,
  - 5) Have its owners (or officers in the case of a corporation) domiciled in California,
  - 6) Together with its affiliates be either:
    - a) A non-manufacturer with 100 or fewer employees and average annual gross receipts of ten million dollars or less over the previous three years, or
    - b) A manufacturer with 100 or fewer employees.
- d. Firms desiring small business and/or microbusiness certification must obtain a Small Business Certification Application (STD 813) from the appropriate office of the Department of General Services [formerly Office of Small Business Certification and Resources (OSBCR)], fully complete the form, and return it to the Department of General Services as instructed. Bidding firms desiring small business certification assistance, may contact the Department of General Services by the following means:
  - 1) (916) 322-5060 (24 hour recording and mail requests), or

- 2) (916) 375-4940 or (800) 559-5529 (live operator), or
- 3) Internet address: <http://www.pd.dgs.ca.gov/smbus> or
- 4) Fax: (916) 375-4950, or
- 5) Email: [osdchelp@dgs.ca.gov](mailto:osdchelp@dgs.ca.gov)

## **2. Target Area Contract Preference Act (TACPA) and Enterprise Zone Act (EZA)**

- a. Government Code (GC) section 4530 (TACPA) and GC section 7070 (EZA) provide that California based companies shall be granted a 5% preference, not to exceed a maximum of \$50,000, whenever a state agency prepares a solicitation for services in excess of \$100,000. The preference(s) shall apply if the worksite is not fixed by the government agency and the company can demonstrate and certify, under the penalty of perjury, that at least 90 percent of the total labor hours required to perform the services contract shall be performed at an identified worksite located in a distressed area (TACPA) or enterprise zone (EZA).
- b. Additional work force preferences ranging from 1% to 4% can be earned by eligible proposers that agree to hire 5% to 20% of persons with a high risk of unemployment or those living in a targeted employment area or that are enterprise zone eligible to perform a specified percentage of the contract work.
- c. Proposers seeking TACPA and/or EZA preference must submit a completed STD 830 - Target Area Contract Preference Act Request (Attachment 10) or a STD 831 - Enterprise Zone Act (EZA) Preference Request (Attachment 11) with their proposal. The preference request form must include the following:
  - 1) All appropriate certifications. (TACPA and EZA)
  - 2) The proposing firm's name and the name of all suppliers and subcontractors that will work with the proposer to fulfill the terms of the contract along with the addresses of each of the worksite(s) and estimated labor hours. (TACPA and EZA)
  - 3) County census tract number and block group number. (TACPA)
  - 4) Enterprise zone name(s). (EZA)
  - 5) Proposer's original signature. (TACPA and EZA)
- d. TACPA and/or EZA preference cannot be claimed or granted if:
  - 1) The lowest responsible proposed cost does not equal or exceed \$100,000 for the entire term, or
  - 2) The work site or any part thereof is fixed or preset by the State, or
  - 3) The services involve construction or a public works project.
- e. A proposer who has claimed a TACPA and/or EZA preference and is awarded the contract will be obligated to perform in accordance with the preference(s) requested, provided the preference was granted in obtaining the contract. Firms receiving preference must:
  - 1) Report their labor hours to the State and
  - 2) Reference the state contract on which the award is based for the specific reporting requirements.
- f. Proposers wishing to learn more about TACPA and/or EZA requirements, designated work site(s) or enterprise zones in California should contact the appropriate office of the

Department of General Services (formerly known as OSBCR) at (916) 375-4940. DGS will attempt to determine TACPA and/or EZA eligibility within two working days.

### 3. Combined Preferences

The maximum preference or cost reduction that any proposer may be granted for small business, TACPA and EZA preference combined is 15% or \$100,000, whichever is less.

Any firm that claims and is granted EZA and/or TACPA preference cannot displace an award to a certified small business and/or microbusiness.

### Q. Contract Terms and Conditions

The winning Proposer must enter a written contract that may contain portions of the Proposer's proposal (i.e., Budget Detail Work Sheets, Work Plan), Scope of Work, standard contract provisions, the contract form, and the exhibits identified below. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A Proposer's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause DHS to deem a Proposer non-responsible and ineligible for an award. DHS reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between DHS and the winning Proposer. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, DHS will not accept alterations to the General Terms and Conditions (GTC), DHS' Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate language that is proposed or submitted by a prospective contractor. DHS may consider a proposal containing such provisions "a counter proposal" and DHS may reject such a proposal as nonresponsible.

#### 1. Sample Contract Forms/Exhibits

Exhibit Label	Exhibit Name
a. Exhibit A	Standard Agreement (1 page)
b. Exhibit A1	Scope of Work (53 pages)
c. Exhibit B	Budget Detail and Payment Provisions (4 pages)
d. Exhibit C - View on-line.	General Terms and Conditions (GTC 304). View or download this exhibit at this Internet site <a href="http://www.ols.dgs.ca.gov/Standard+Language/default.htm">http://www.ols.dgs.ca.gov/Standard+Language/default.htm</a> .

<b>Exhibit Label</b>	<b>Exhibit Name</b>
e. Exhibit D(F)	Special Terms and Conditions (26 pages)
f. Exhibit E	Additional Provisions (5 pages)
g. Exhibit F	Contractor's Release (1 page)
h. Exhibit G	Travel Reimbursement Information (2 pages)
i. Exhibit H	Resumes
j. Exhibit I	Contractor Equipment Purchased with DHS Funds
k. Exhibit J	Inventory/Disposition of DHS-funded Equipment
l. Exhibit K	HIPAA Business Associate Addendum

## **2. Unanticipated Tasks**

In the event unanticipated or additional work must be performed that is not identified in this RFP, but in DHS' opinion is necessary to successfully accomplish the scope of work, DHS will initiate a contract amendment to add that work. All terms and conditions appearing in the final contract including the salary/wage rates, unit rates and/or other expenses appearing on the Proposer's Budget Detail Work Sheets will apply to any additional work.

## **3. Resolution of Language Conflicts (RFP vs. Final Agreement)**

If an inconsistency or conflict arises between the terms and conditions appearing in the final agreement and the proposed terms and conditions appearing in this RFP, any inconsistency or conflict will be resolved by giving precedence to the final agreement.